

CONSTANTINE CANNON LLP

Margaux Poueymirou

Attorney

212-350-2771

mpoueymirou@constantinecannon.com

NEW YORK | WASHINGTON | SAN FRANCISCO | LONDON

April 11, 2020

The Honorable Allyne R. Ross
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Vincent Asaro*
Criminal Docket No. 17-127 (S-1) (ARR)

Dear Judge Ross:

We write in response to the Court's inquiry as to the disparity between the government's calculation that if the Court were to release Mr. Asaro now, he would have served only 50% of his sentence, and the defense's calculation that Mr. Asaro has already served 75% of his sentence.

Your Honor sentenced Mr. Asaro to a term of 96 months, with the understanding that he would be credited 22 months for time previously served. He has been incarcerated an additional 37 months (3/22/17 to 4/11/20) on this term. Thus, he has served 59 months of his sentence. Because he has not incurred disciplinary issues, the BOP has credited him with 14 months of good time credit, effectively reducing his sentence pursuant to the good time statute from 96 to 82 months. Accordingly, as of today, he has served 71.9% of his sentence (59/82 months). It is for this reason that the BOP anticipates he will be released on 3/26/22, *i.e.*, he has two years to serve on an 8 year sentence.

CONSTANTINE CANNON LLP

Hon. Allyne R. Ross
April 11, 2020
Page 2

NEW YORK | WASHINGTON | SAN FRANCISCO | LONDON

Finally, we would appreciate the opportunity to reply to the government's opposition to Mr. Asaro's compassionate release motion once we ensure we have his complete medical records. While Mr. Asaro's fiancé, Michele Carollo, received a set of Mr. Asaro's medical records from MCFP Springfield on Friday, April 10, 2020, and provided them to us, it is unclear if they are complete. At the very least, they are missing Mr. Asaro's most recent health assessment.

Respectfully submitted,

By: _____/s/_____
Margaux Poueymirou
Constantine Cannon
(212) 350-2771

Deirdre von Dornum
Attorney-in-Charge
Federal Defenders EDNY

cc: Clerk of Court (ARR) (by ECF and Email)
Assistant U.S. Attorneys (by ECF and Email)
Senior U.S. Probation Officer Joanmarie Langone (by Email)